

AMENDED IN SENATE AUGUST 18, 2015
AMENDED IN SENATE JULY 1, 2015
AMENDED IN SENATE JUNE 23, 2015
AMENDED IN ASSEMBLY JUNE 1, 2015
AMENDED IN ASSEMBLY APRIL 27, 2015
AMENDED IN ASSEMBLY APRIL 16, 2015
AMENDED IN ASSEMBLY MARCH 26, 2015
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 156

**Introduced by Assembly Member Perea
(Principal coauthor: Assembly Member Rendon)**

January 20, 2015

An act to amend Section 39713 of, and to add Section 39713.5 to, the Health and Safety Code, relating to greenhouse gases.

LEGISLATIVE COUNSEL’S DIGEST

AB 156, as amended, Perea. California Global Warming Solutions Act of 2006: disadvantaged communities.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board ~~from the auction or sale of allowances~~ as part of a market-based compliance mechanism to be

deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation. Existing law requires the California Environmental Protection Agency to identify disadvantaged communities and requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. Existing law requires the 3-year investment plan to allocate a minimum of 25% of the available moneys in the fund to projects that provide benefits to disadvantaged communities.

This bill would require the state board to prepare and post on its Internet Web site a specified report on the projects funded to benefit disadvantaged communities.

This bill would require the state board to establish a comprehensive technical assistance program, upon the appropriation of moneys from the Greenhouse Gas Reduction Fund, for eligible applicants, as specified, assisting ~~disadvantaged~~ *eligible* communities, as defined.

This bill would also require the department to include in the 3-year investment plan an allocation to the state board for that technical assistance program.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 39713 of the Health and Safety Code is
- 2 amended to read:
- 3 39713. (a) The investment plan developed and submitted to
- 4 the Legislature, pursuant to Section 39716, shall allocate a
- 5 minimum of 25 percent of the available moneys in the fund to
- 6 projects that provide benefits to communities described in Section
- 7 39711.
- 8 (b) The investment plan shall allocate a minimum of 10 percent
- 9 of the available moneys in the fund to projects located within
- 10 communities described in Section 39711.
- 11 (c) The allocation pursuant to subdivision (b) may be, but need
- 12 not be, for projects included, in whole or in part, in the set of
- 13 projects supported by the allocation described in subdivision (a).
- 14 (d) The state board shall prepare and post on its Internet Web
- 15 site a report on the projects funded pursuant to this section. The
- 16 report shall include all of the following:

- 1 (1) A general description of the project.
- 2 (2) The location where the project will be implemented.
- 3 (3) The estimated date of completion of each project.
- 4 (4) The amount awarded to each project.
- 5 (5) The status of any moneys in the fund that are not awarded
- 6 pursuant to this section and the reasons, if any, why those moneys
- 7 have not been awarded.

8 SEC. 2. Section 39713.5 is added to the Health and Safety
9 Code, to read:

10 39713.5. (a) *For purposes of this section, “eligible*
11 *communities” means census tracts identified as disadvantaged*
12 *pursuant to Section 39711 or with median incomes at or below 80*
13 *percent of the statewide median income.*

14 (b) The investment plan developed and submitted to the
15 Legislature pursuant to Section 39716 shall allocate from the
16 available moneys in the fund technical assistance moneys to the
17 state board to implement this section. That allocation of technical
18 assistance moneys shall not be used to satisfy the requirements of
19 subdivisions (a) and (b) of Section 39713.

20 ~~(b)~~

21 (c) (1) Upon an appropriation of moneys from the fund, the
22 state board shall establish a comprehensive technical assistance
23 program for eligible applicants assisting ~~disadvantaged~~ *eligible*
24 communities that the state board determines require technical
25 assistance in accessing programs ~~using allocated~~ moneys
26 appropriated from the fund.

27 (2) Eligible applicants include, but are not limited to, regional
28 agencies and nonprofit organizations coordinating with local
29 governments.

30 ~~(3) As used in this section, “disadvantaged communities” means~~
31 ~~census tracts identified as disadvantaged pursuant to Section 39711~~
32 ~~or with median incomes at or below 80 percent of the statewide~~
33 ~~median household income.~~

34 ~~(4)~~

35 (3) (A) The state board, in consultation with the California
36 Environmental Protection Agency and agencies that administer
37 programs using moneys appropriated from the fund, shall develop
38 guidelines to implement this program consistent with this section.

39 (B) The state board shall provide an opportunity for public
40 comment prior to finalizing the guidelines.

1 ~~(e)~~

2 ~~(d)~~ The state board shall prioritize technical assistance ~~to~~ *for*
3 those communities demonstrating the greatest need for increased
4 capacity to access programs using moneys appropriated from the
5 fund.

6 ~~(d)~~

7 ~~(e)~~ The program established pursuant to this section shall
8 provide assistance to eligible applicants with any of the following:

9 (1) Identifying state agencies with appropriate grant programs.

10 (2) Developing competitive project proposals to apply for
11 moneys available through state agencies or pursuant to this chapter.

12 (3) Coordinating existing local programs to reduce greenhouse
13 gas emissions with new programs receiving moneys pursuant to
14 this chapter.

15 (4) Conducting community outreach to residents of
16 ~~disadvantaged~~ *eligible* communities that the state board determines
17 require technical assistance on consumer programs receiving state
18 or local moneys pursuant to this chapter or for other programs that
19 reduce greenhouse gas emissions.

20 ~~(e)~~

21 ~~(f)~~ Technical assistance provided pursuant to this section shall
22 promote programs that reduce emissions of greenhouse gases and
23 demonstrate a direct, meaningful benefit to ~~disadvantaged~~ *eligible*
24 communities. Cobenefits of these programs may include, but are
25 not limited to, improved air quality, improved water quality,
26 improved public health, increased access to employment in clean
27 energy, increased access to affordable housing and transit, reduced
28 residential and commercial water use, and increased residential
29 and commercial energy efficiency.